

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

FILED

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ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY BS DEPUTY

WILLIAM A. SMITH,
Plaintiff,

vs.

JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,
Defendant.

No. CIV-06-362-W

ORDER

On October 31, 2006, United States Magistrate Judge Bana Roberts issued a Report and Recommendation in this case and recommended that the decision of defendant Jo Anne B. Barnhart, Commissioner of the Social Security Administration ("Commissioner"), denying the plaintiff's Application for Disability Insurance Benefits be affirmed. Plaintiff William A. Smith was advised of his right to file written objections to the Report and Recommendation, but he filed no objections within the time allotted.


Upon review of the record, the Court finds no error has occurred warranting the relief Smith has requested, and the Court therefore concurs with Magistrate Judge Roberts' suggested disposition of this matter. The Commissioner based her decision on substantial evidence, and she applied the correct legal standards.

Accordingly, the Court

- (1) ADOPTS the Report and Recommendation issued on October 31, 2006;
- (2) AFFIRMS the Commissioner's decision to deny Smith's Application for Disability Insurance Benefits; and

(3) ORDERS that judgment in favor of the Commissioner issue forthwith.

ENTERED this 27th day of November, 2006.



LEE R. WEST
UNITED STATES DISTRICT JUDGE